

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION

METROPOLITAN LIFE	:	
INSURANCE COMPANY,	:	
	:	
Plaintiff,	:	
	:	
v.	:	CIVIL ACTION
	:	NO. 2:15-CV-43-WCO
	:	
DEVIN LANIER WADDELL;	:	
DEVIN LANIER WADDELL, as	:	
Administrator of the ESTATE OF	:	
LANIER GENE WADDELL; ANN	:	
MARSHALL WADDELL; ANNE	:	
MARIE BISHOP, as Conservator for	:	
ANN MARSHALL WADDELL;	:	
	:	
Defendants.	:	

ORDER

The captioned case is before the court for consideration of a motion for disbursement of funds from the registry filed by defendants Ann Marshall Waddell (“Ann Waddell”) and Anne Marie Bishop (“Anne Bishop”) (together “Mrs. Waddell”) [60] and a motion for stay of execution of judgment and disbursement of funds filed by defendant Devin Lanier Waddell (“Devin Waddell”) [63].

On July 6, 2016, this court granted summary judgment to Mrs. Waddell, finding that the insurance benefits at issue should be paid into Ann Waddell’s special needs trust. On July 25, 2016, Mrs. Waddell filed a motion for disbursement of funds from

the registry. On August 4, 2016, Devin Waddell filed his notice of appeal and his motion for stay of execution and disbursement of funds. Devin Waddell requests the court to stay execution of the judgment and disbursement of funds to preserve the status quo until the pending appeal is concluded. Devin Waddell requests that the requirement of a supersedeas bond be waived because the funds at stake in this case are already in the possession of the court earning interest and there is no danger that they will be dissipated prior to disbursement even if the appeal should fail. For good cause shown, the court hereby **GRANTS** Devin Waddell's motion [63]. In view of this ruling, the court hereby **DENIES** Mrs. Waddell's motion for disbursement of funds from the registry [60].

IT IS SO ORDERED, this 23rd day of August, 2016.

s/William C. O'Kelley
WILLIAM C. O'KELLEY
Senior United States District Judge